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7 P.O. Box 11480  
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9  
10 Attorneys for Shady Bird Lending, LLC

11 **UNITED STATES BANKRUPTCY COURT**  
12 **CENTRAL DISTRICT OF CALIFORNIA, SANTA ANA DIVISION**

13 In re  
14 THE SOURCE HOTEL, LLC,  
15  
16 Debtor.

Case No. 8:21-bk-10525-ES

Chapter 11

**AMENDED NOTICE OF MOTION OF  
SHADY BIRD LENDING, LLC FOR  
ORDER EXCUSING STATE COURT  
RECEIVER FROM TURNOVER OF  
ASSETS PURSUANT TO 11 U.S.C. § 543**

DATE: April 15, 2021  
TIME: 10:30 a.m.  
PLACE: Courtroom "5A"

**SulmeyerKupetz, A Professional Corporation**  
333 SOUTH GRAND AVENUE, SUITE 3400  
LOS ANGELES, CALIFORNIA 90071-1406  
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1 **TO THE HONORABLE ERITHE SMITH, UNITED STATES BANKRUPTCY JUDGE,**  
2 **THE OFFICE OF THE UNITED STATES TRUSTEE, THE DEBTOR, AND ALL OTHER**  
3 **INTERESTED PARTIES:**

4 **PLEASE TAKE NOTICE** that Shady Bird Lending, LLC (“Shady Bird”) has  
5 concurrently caused to be filed its “Motion of Shady Bird Lending, LLC for Order Excusing  
6 State Court Receiver From Turnover of Assets Pursuant to 11 U.S.C. § 543;  
7 Memorandum of Points and Authorities; Declarations of Ronald Richards, Bellann R.  
8 Raile, and Brent Little in Support Thereof” (the “Motion”), through which Shady Bird, the  
9 holder of the senior deed of trust on the real property bearing APN Nos. 276-361-20 and  
10 276-361-22, consisting of a partially constructed 178-room, seven story hotel building  
11 located in Buena Park, California (the “Project”) owned by the debtor The Source Hotel,  
12 LLC (the “Debtor”), seeks an order, among other things, excusing the state court receiver  
13 from turnover of the Debtor’s assets, including the Property, and authorizing the state  
14 court receiver, on an interim basis, to take the steps necessary and appropriate to  
15 preserve and protect the assets of the Debtor pursuant to 11 U.S.C. § 543(d)(1).

16 **PLEASE TAKE FURTHER NOTICE** that a hearing on the Motion shall take  
17 place on April 15, 2021, at 10:30 a.m., Pacific Time, or as soon thereafter as the matter  
18 may be heard, in Courtroom “5A” of the above-entitled Court, located at 411 W. 4th  
19 Street, Santa Ana, California 92703, before the Honorable Erithe Smith, United States  
20 Bankruptcy Judge, presiding.

21 **PLEASE TAKE FURTHER NOTICE** that, until further notice, because of  
22 the COVID-19 pandemic, all of the Court’s hearings shall be conducted using ZoomGov  
23 audio and video. Parties in interest and members of the public may connect to the video  
24 and audio feeds, free of charge, using the connection information provided below:

25 Individuals may participate by ZoomGov video and audio  
26 using a personal computer (equipped with camera,  
27 microphone and speaker), or a handheld mobile device  
28 (such as an iPhone or Android phone). Individuals may opt

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1 to participate by audio only using a telephone (standard  
2 telephone charges may apply). Neither a Zoom nor a  
3 ZoomGov account is necessary to participate and no pre-  
4 registration is required. The audio portion of each hearing  
5 will be recorded electronically by the Court and constitutes  
6 its official record.

7 Meeting URL: <https://cacb.zoomgov.com/j/1607310868>

8 Meeting ID: 160 731 0868

9 Password: 073715

10 Telephone conference lines: 1-(669)-254-5252 or 1-(646)-  
11 828-7666.

12 **PLEASE TAKE FURTHER NOTICE** that the Motion is based on this notice,  
13 the Motion, the memorandum of points and authorities and declarations of Ronald  
14 Richards, Bellann R. Raile, and Brent Little in support thereof, the pleadings filed in the  
15 Debtor's cases, all judicially noticeable facts, the arguments and representations of  
16 counsel, and any oral or documentary evidence presented prior to or at the scheduled  
17 hearing.

18 **PLEASE TAKE FURTHER NOTICE** that if a party is interested in receiving  
19 a copy of the Motion, they should submit a written request to counsel for Shady Bird:  
20 Daniel A. Lev, Esq., **SulmeyerKupetz**, A Professional Corporation, 333 South Grand  
21 Avenue, Suite 3400, Los Angeles, California 90071, (213) 626-2311,  
22 [dlev@sulmeyerlaw.com](mailto:dlev@sulmeyerlaw.com) and Ronald Richards, Esq., Law Offices of Ronald Richards &  
23 Associates, APC, P.O. Box 11480, Beverly Hills, California 90213, (310) 556-1001,  
24 [ron@ronaldrichards.com](mailto:ron@ronaldrichards.com).

25 **PLEASE TAKE FURTHER NOTICE** that, pursuant to Local Bankruptcy  
26 Rule 9013-1(f), any party opposing the relief requested in the Motion must file and serve  
27 a written opposition no later than fourteen (14) days prior to the scheduled hearing on the  
28 Motion.

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1                   **PLEASE TAKE FURTHER NOTICE** that copies of any timely filed  
2 opposition must be served upon Shady Bird's counsel of record as set forth on the first  
3 page of this Motion.

4                   **PLEASE TAKE FURTHER NOTICE** that, pursuant to Local Bankruptcy  
5 Rule 9013-1(h), the failure to timely file and serve an opposition to the Motion in  
6 accordance herewith may be deemed by the Court to be consent to the relief requested  
7 in the Motion.

8 DATED: March 25, 2021

**SulmeyerKupetz**  
A Professional Corporation

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By: /s/ Daniel A. Lev  
Daniel A. Lev  
Attorneys for Shady Bird Lending, LLC

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DATED: March 25, 2021

Law Offices of Ronald Richards & Associates, APC

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By: /s/ Ronald Richards  
Ronald Richards  
Attorneys for Shady Bird Lending, LLC

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## PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is 333 South Grand Avenue, Suite 3400, Los Angeles, CA 90071.

A true and correct copy of the foregoing document entitled (*specify*): AMENDED NOTICE OF MOTION OF SHADY BIRD LENDING, LLC FOR ORDER EXCUSING STATE COURT RECEIVER FROM TURNOVER OF ASSETS PURSUANT TO 11 U.S.C. § 543 will be served or was served **(a)** on the judge in chambers in the form and manner required by LBR 5005-2(d); and **(b)** in the manner stated below:

**1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF):** Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On (*date*) March 25, 2021 I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

☒ Service information continued on attached page.

**2. SERVED BY UNITED STATES MAIL:**

On (*date*) March 25, 2021, I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

Debtor

The Source Hotel, LLC  
6988 Beach Blvd, Suite B-215  
Buena Park, CA 90621-6822

☒ Service information continued on attached page.

**3. SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL** (*state method for each person or entity served*): Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on (*date*) March 18, 2021, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

☐ Service information continued on attached page.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

March 25, 2021

*Date*

Cheryl Caldwell

*Printed Name*

/s/Cheryl Caldwell

*Signature*

**ADDITIONAL SERVICE INFORMATION** (if needed):

**1. SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING ("NEF")**

Ron Bender on behalf of Debtor The Source Hotel, LLC  
rb@lnbyb.com

Michael G Fletcher on behalf of Creditor Evertrust bank  
mfletcher@frandzel.com, sking@frandzel.com

Nancy S Goldenberg on behalf of U.S. Trustee United States Trustee (SA)  
nancy.goldenberg@usdoj.gov

Daniel A Lev on behalf of Creditor Shady Bird Lending, LLC  
dlev@sulmeyerlaw.com, ccaldwell@sulmeyerlaw.com;dlev@ecf.inforuptcy.com

Daniel A Lev on behalf of Interested Party Courtesy NEF  
dlev@sulmeyerlaw.com, ccaldwell@sulmeyerlaw.com;dlev@ecf.inforuptcy.com

Grant A Nigolian on behalf of Interested Party Courtesy NEF  
grant@gnpclaw.com, process@gnpclaw.com;grant.nigolian@gmail.com

Juliet Y Oh on behalf of Debtor The Source Hotel, LLC  
jyo@lnbrb.com, jyo@lnbrb.com

Ho-Ei Park on behalf of Interested Party Courtesy NEF  
hpark@hparklaw.com

Ronald N Richards on behalf of Interested Party Courtesy NEF  
ron@ronaldrichards.com, morani@ronaldrichards.com

United States Trustee (SA)  
ustpregion16.sa.ecf@usdoj.gov

All Creditors

Evertrust Bank  
c/o Frandzel Robins Bloom & Csato,  
L.C.  
1000 Wilshire Boulevard, 19th Floor  
Los Angeles, CA 90017-2457

3D Design - Millwork  
8152 Indianapolis Ave.  
Huntington Beach, CA 92646-5008

AT&T  
P.O. Box 5025  
Carol Stream, IL 60197-5025

Ace Tek Roofing Co.  
747 S. Ardmore Ave., Suite 405  
Los Angeles, CA 90005-2489

All Area Plumbing  
6265 San Fernando Road  
Glendale, CA 91201-2214

American Engineering Laboratories  
Inc.  
PO Box 1816  
Whittier, CA 90609-1816

Aragon Construction, Inc.  
5440 Arrow Highway  
Montclair, CA 91763-1604

Beach Orangethorpe II, LLC  
P.O. Box 489  
Buena Park, CA 90621-0489

Beach Orangethorpe III, LLC  
P.O. Box 489  
Buena Park, CA 90621-0489

Beach Orangethorpe, LLC  
P.O. Box 489  
Buena Park, CA 90621-0489

Beachamp Distributing Co.  
1911 South Santa Fe Avenue  
Compton, CA 90221-5306

Best Quality Painting  
818 N. Pacific Ave., #C  
Glendale, CA 91203-3633

Cabrillo Hoist  
P.O. Box 3179  
Rancho Cucamonga, CA 91729-  
3179

Certified Tile  
14557 Calvert St.  
Van Nuys, CA 91411-2806

JPMORGAN CHASE BANK N A  
BANKRUPTCY MAIL INTAKE  
TEAM  
700 KANSAS LANE FLOOR 01  
MONROE LA 71203-4774

Chefs Toys  
18430 Pacific Street  
Fountain Valley, CA 92708-7005

DKY Architects  
15375 Barranca Pkwy.  
Suite A-210  
Irvine, CA 92618-2230

Diablo Consulting  
13200 Crossroads Parkway N  
Ste. 115  
City of Industry, CA 91746-3480

Employment Development Dept.  
Bankruptcy Group MIC 92E  
P.O. Box 826880  
Sacramento, CA 94280-0001

Evergreen Electric Construction Inc.  
629 Grove View Lane  
La Canada, CA 91011-2635

Ficcadenti Waggoner  
16969 Von Karman Avenue  
Suite 240  
Irvine, CA 92606-4944

Franchise Tax Board  
Bankruptcy Section, MS: A-340  
P.O. Box 2952  
Sacramento, CA 95812-2952

**Request for Special Notice**  
Grant Nigolian, P.C.  
695 Town Center Drive, Suite 700  
Costa Mesa, CA 92626-7187

HBA Procurement, Inc.  
3216 Nebraska Ave.  
Santa Monica, CA 90404-4214

Harbor All Glass & Mirror, Inc.  
1926 Placentia Ave.  
Costa Mesa, CA 92627-3496

Hunt Ortmann Palffy Nieves et al.  
301 North Lake Avenue, 7th Floor  
Pasadena, CA 91101-5118

Internal Revenue Service IRS  
P.O. Box 7346  
Philadelphia, PA 19101-7346

Interstate Management Company,  
LLC  
4501 North Fairfax Drive  
Suite 500  
Arlington, VA 22203-1668

Iron Mechanical  
721 North B Street  
Suite 100  
Sacramento, CA 95811-0347

KS Steel Corp.  
1748 Industrial Way  
Los Angeles, CA 90023

Kim & Lee, LLP  
2305 W 190th St  
Torrance, CA 90504-6005

L2 Specialties  
3613 W. Macarthur Blvd., #611  
Santa Ana, CA 92704-6846

Law Office of Ho-El Park, P.C.  
333 City Blvd. West, Suite 1700  
Orange, CA 92868-5905

Law Office of Michael N. Berke  
25001 The Old Road  
Santa Clara, CA 91381-2252

Law Offices of Dennis G. Cosso  
345 Oxford Drive  
Arcadia, CA 91007-2642

LimNexus, LLP  
707 Wilshire Blvd., 46th Floor  
Los Angeles, CA 90017-3612

LOS ANGELES COUNTY  
TREASURER AND TAX  
COLLECTOR  
ATTN BANKRUPTCY UNIT  
PO BOX 54110  
LOS ANGELES CA 90054-0110

Master Glass  
2225 W. Pico Blvd. Unit C  
Los Angeles, CA 90006-4865

Mirae Construction, Co.  
2222 S. Broadway  
Los Angeles, CA 90007-1434

Morrow Meadows  
231 Benton Court  
City of Industry, CA 91789-5213

Nemo & Rami  
1930 W. Holt Ave.  
Pomona, CA 91768-3351

Newgens, Inc.  
14241 Foster Rd.  
La Mirada, CA 90638-2852

Northstar  
404 North Berry Street  
Brea, CA 92821-3104

OJ Insulation LP  
600 S Vincent Ave.  
Azusa, CA 91702-5145

OMB Electrical Engineers, Inc.  
8825 Research Drive  
Irvine, CA 92618-4236

PDG Wallcoverings  
26492 Via Juanita  
Mission Viejo, CA 92691-1954

Pan Pacific  
18250 Euclid Street  
Fountain Valley, CA 92708-6112

Porter Law Group, Inc.  
7801 Folsom Blvd., Suite 101  
Sacramento, CA 95826-2619

Prime Concrete Coatings  
6127 James Alan St.  
Cypress, CA 90630-3929

Resco Electric Inc.  
2431 W. Washington Blvd. Suite B  
Los Angeles, CA 90018-1451

Retrolock Corp  
17915 Railroad Street  
City of Industry, CA 91748-1113



Robinson & Robinson, LLP  
2301 Dupont Drive, Sute 530  
Irvine, CA 92612-7502

Salamander Fire Protection, Inc  
6103 Tyrone Street  
Van Nuys, CA 91401-3425

Shady Bird Lending, LLC  
c/o Law Offices of Ronald Richards  
P.O. Box 11480  
Beverly Hills, CA 90213-4480

Shady Bird Lending, LLC  
c/o Law Offices of Geoffrey Long  
1601 N. Sepulveda Blvd., No. 729  
Manhattan Beach, CA 90266-5111

Sky Rider Equipment Co., Inc.  
1180 North Blue Gum Street  
Anaheim, CA 92806-2409

So. Cal. Edison Co.  
P.O. Box 600  
Rosemead, CA 91771-0001

Solid Construction Company, Inc.  
883 Crenshaw Blvd.  
Los Angeles, CA 90005-3650

Splinter & Thai, LLP  
25124 Narbonne Ave., Suite 106  
Lomita, CA 90717-2140

State Board of Equalization  
Account Info Group, MIC:29  
P.O. Box 942879  
Sacramento, CA 94279-0029

Stumbaugh & Associates, Inc.  
3303 N. San Fernando Blvd  
Burbank, CA 91504-2531

Sunbelt Controls, Inc.  
888 E. Walnut Street  
Pasadena, CA 91101-1895

Universal Flooring Systems  
15573 Commerce Lane  
Huntington Beach, CA 92649-1601

WESCO Distribution Inc.  
6251 Knott Ave.  
Buena Park, CA 90620-1010